

REMARKS

Claims 1, 9-13, 18, 19, 32 and 33 are pending in the present patent application. Claims 1, 9-13, 18, 19, 32 and 33 stand rejected. This application continues to include claims 1, 9-13, 18, 19, 32 and 33.

Claims 1, 9-13, 18, 19, 32 and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Morrow, U.S. Patent Application Publication No. 2003/0038177 A1 (hereinafter, Morrow) in view of Hamdi, et al., U.S. Patent No. 6,408,351 B1 (hereinafter, Hamdi). Applicants respectfully request reconsideration of the rejection of claims 1, 9-13, 18, 19, 32 and 33 in view of the following.

Applicants have summarized Morrow and Hamdi in their previous Response, electronically filed October 23, 2007.

Applicants believe that claims 1, 9-13, 18, 19, 32 and 33 patentably define Applicants' invention over Morrow and Hamdi, taken alone or in combination, for at least the reasons set forth below.

Claim 1 is directed to a computer network, and recites, in part, a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device.

Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach or suggest the subject matter of claim 1 for at least the reasons set forth in Applicants' previous Response.

In the Response to Arguments, it is asserted that Morrow discloses that a passive flash media adapter system 30 could be adapted to a wide variety of devices or networks, and that an enhanced PC card controller 34 may provide other enhancements between a host system and external devices connected through the passive adapter, such as small form factor IO devices, with reliance placed on Morrow paragraphs 0100 and 0101.

However, although Morrow discloses that the passive flash media adapter system 30 is readily adapted for a wide variety of connections between a host system 32 and external media, and that the PC card controller 34 may provide other enhancements between a host system 32 and external devices 20 connected through the passive adapter 40, such as small form factor IO devices, *Morrow does **not** disclose, teach or suggest that the adapter system 30 is a microprocessorless network adapter, much less a microprocessorless network adapter that interconnects at least one host computer and at least one peripheral device, as recited in claim 1.*

For example, the Morrow statement that that the passive flash media adapter system 30 is readily adapted for a wide variety of connections between a host system 32 and external media, including network connections, does not disclose, teach or suggest that the passive flash media adapter system 30 is a network adapter, but rather, only implies that the passive flash media adapter system 30 may be adapted for use with various connections, which may include network connections, but **not** that the passive flash media adapter system 30 is a network adapter in of itself.

For instance, Morrow discloses that “the adapter system 30 is readily adapted for a wide variety of connections between a host system 32 and external media, such as through a wide variety of card connections, adapter connections, bus and/or network connections.” (paragraph 0100, emphasis added). *This does **not** disclose, teach or suggest that the adapter system 30*

provides the network connection, but only that the adapter system 30 may be used through other connections, including network connections.

In other words, Morrow does not disclose, teach or suggest that the adapter system 30 provides those other connections, such as network connections, but that the adapter system may provide connections between the host and external media through one of those connections, which clearly indicates that the other connections are pre-existing, and not provided by the adapter system 30 itself.

Although Morrow discloses that the adapter system may readily provide connections to a wide variety of devices or networks (paragraph 0100), Morrow still does not disclose, teach or suggest that the connections are provided by the adapter system itself. For example, Morrow does not teach how the adapter system 30 would handle network packets, etc. Rather, in view of the balance of the Morrow disclosure, Applicants respectfully submit that the adapter system 30 may provide connections to the external media through pre-existing connections, and not by providing a network connection itself.

In addition, the Morrow statement that the PC card controller 34 may provide other enhancements between a host system 32 and external devices 20 connected through the passive adapter 40, such as small form factor IO devices pertains to a PC card controller, not the flash media adapter system 30, which is asserted to be a network adapter.

Further, any enhancements provided by the PC card controller 34 that pertains to external devices 20 connected through the passive adapter 40, *such as small form factor IO devices* does not disclose, teach or suggest that the PC card controller 34 or that the passive adapter 40 is a microprocessorless network adapter interconnects at least one host computer and at least one peripheral device, as recited in claim 1, at least because a small form factor IO device pertains to a

flash media, which does not disclose, teach or suggest a peripheral device, as that term is ordinarily used in the art.

Still further, Applicants respectfully submit that it is clear from the Morrow disclosure that the Morrow passive adapter pertains to an adapter that is used to interface with flash media having different formats, e.g., as set forth in paragraph 0009 and clearly illustrated in Fig. 2, not a network adapter. The Morrow statement that the media adapter may be employed with network connections *does not in of itself imply that the Morrow media adapter itself provides the network connection*.

It is also asserted in the Response to Arguments that Hamdi discloses that a hub can connect directly to a USB bus 106 and then one or more peripheral devices can connect to the hub, and that the USB hub 106 connects to the USB host controller 114, which assertedly discloses a USB hub interconnecting at least one peripheral device and a microprocessorless network adapter.

However, in contrast to a microprocessorless network adapter interconnecting the at least one host computer and the at least one peripheral device; and a USB hub interconnecting the at least one peripheral device and the microprocessorless network adapter, as recited in claim 1, Hamdi discloses a modem operated by microprocessor 108, which is thus not a microprocessorless network adapter, but rather, a host-operated microprocessor-based modem.

Also, Hamdi discloses that the modem codec board 104 is coupled directly to the computer 102 via the USB bus 106 or via a USB hub that may also connect other peripheral devices (Fig. 1, col. 13, lines 41-49), which does not disclose, teach or suggest a USB hub interconnecting the at least one peripheral device and the microprocessorless network adapter, as recited in claim 1.

For example, with Applicants' invention of claim 1, the peripheral device is connected to the microprocessorless network adapter via the USB hub, and the microprocessorless network adapter connects the host computer to the peripheral device, which is thus connected to the host computer via both the microprocessorless network adapter and also via the USB hub, which Hamdi clearly does not do.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 1, and even if combined, would not yield the subject matter of claim 1.

Claim 1 is thus believed allowable in its present form.

Claim 9 is directed to a computer network, and recites, in part, a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device.

Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest a microprocessorless network adapter interconnecting the at least one host computer and the at least one peripheral device for at least the reasons set forth above with respect to claim 1.

Claim 9 also recites wherein said microprocessorless network adapter is configured to manage power on said at least one peripheral device.

Morrow does not disclose, teach, or suggest wherein a microprocessorless network adapter is configured to manage power on at least one peripheral device, nor is it so asserted. Rather, Hamdi is relied on.

However, as set forth in Applicants' previous Response, Hamdi merely discloses that a peripheral device *may be powered by a bus*, which does not in any manner imply or otherwise

disclose, teach, or suggest *managing power*, much less wherein a microprocessorless network adapter is configured to manage power on the at least one peripheral device (abstract, col. 1, lines 5-17, and col. 13, lines 38-41). For example, Hamdi does not in any manner disclose, teach, or suggest that the modem or modem codec board 104 manages power on a peripheral device. Supplying power simply does *not*, in of itself, imply or otherwise disclose, teach or suggest *managing power*.

Further, the Hamdi modem/modem codec board 104 is disclosed as being powered by a bus, which is essentially opposite in concept to that of a microprocessorless network adapter is configured to manage power on the at least one peripheral device.

In the Response to Arguments, it is asserted that Hamdi discloses that the USB bus includes two wires which carry a power supply signal from the USB host controller 114 to the board 104.

Although Hamdi discloses that the cable for the USB bus 106 includes four wires, two of which carry power supply signals (col. 11, lines 50-53), the simple fact of carrying power supply signals simply does not disclose, teach or suggest a network adapter configured to manage power on a peripheral device. Carrying power supply signals does *not* in of itself disclose, teach or suggest managing power, at least because there is *no control or management aspect* inherent to carrying power supply signals, i.e., carrying electrical power.

The Examiner may not, because of doubt that the invention is patentable, resort to speculation, unfounded assumption or hindsight reconstruction to supply deficiencies in the factual basis for the rejection. *In re Warner*, 154 U.S.P.Q. 173,178 (CCPA 1967).

In the instant matter, the relied-upon Hamdi passages simply do not support the proposition that Hamdi discloses of a microprocessorless network adapter is configured to manage power on the at least one peripheral device. There is nothing disclosed by Hamdi that might otherwise disclose, teach or suggest that a microprocessorless network adapter manages power on a peripheral device, as recited in claim 9. Statements in Hamdi pertaining to four wires, two of which carry power supply signals, simply do not include a power management aspect, much less managing power on a peripheral device by a network adapter, but rather, merely indicate that power supply signals are carried.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 9, and even if combined, would not yield the subject matter of claim 9. Claim 9 is thus believed allowable in its present form.

Claim 10 is directed to a computer network, and recites, in part, a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device.

Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device, as recited in claim 10, for at least the reasons set forth above with respect to claim 1.

Claim 10 also recites, in part, wherein said microprocessorless network adapter is configured to send said at least one peripheral device at least one command to go into a low-power sleep mode until said microprocessorless network adapter detects inbound data bound for said at least one peripheral device.

As set forth in their previous Response, the relied-upon Hamdi passages disclose that the asserted microprocessorless network adapter, which is the modem codec board 104, has it's power managed by power manager 214.

That is, the asserted microprocessorless network adapter, modem codec board 104, *has its power managed by a bus interface 200*, which is essentially opposite in concept to that of a microprocessorless network managing power or sending a command to a peripheral device to go into a low-power sleep mode in the manner recited in claim 10.

In the Response to Arguments, it is asserted that codec 400 operates to power down to a low power state, and that a portion of a hybrid circuit 122 remains active and can be used by remote wakeup unit 216 to request wakeup of the USB bus. The Hamdi passages at col. 17, lines 3-15 and col. 19, lines 6-19 are relied upon.

However, the codec 400 is not a microprocessorless network adapter. In addition, Hamdi discloses that the wakeup event can be produced by a remote wakeup unit, which does not disclose, teach or suggest a microprocessorless network adapter.

Further, powering down codec unit 400 itself does not disclose, teach or suggest the codec unit powering down a peripheral device. Hence, the relied-upon Hamdi passages at col. 17, lines 3-15 and col. 19, lines 6-19 do not support the proposition that the asserted microprocessorless network adapter, i.e., codec unit 400, sends a peripheral device a command to go into a low-power sleep mode, **but rather**, pertain to the codec unit 400 itself powering down.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 10, and even if combined, would not yield the subject matter of claim 10.

Claim 11 is directed to a computer network, and recites, in part, a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device.

Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest a microprocessorless network adapter interconnecting at least one host computer and at least one peripheral device, as recited in claim 11, for at least the reasons set forth above with respect to claim 1.

Claim 11 also recites, in part, wherein said microprocessorless network adapter is configured to at least one of send a wake-up command to said at least one peripheral device and verify an active status of said at least one peripheral device before accepting the inbound data.

Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest wherein said microprocessorless network adapter is configured to at least one of send a wake-up command to said at least one peripheral device and verify an active status of said at least one peripheral device before accepting the inbound data, as recited in claim 11, for at least the reasons set forth above with respect to claim 10.

For example, the Hamdi passage relied upon in the Response to Arguments, which is Hamdi col. 19, lines 6-50, pertains to the asserted microprocessorless network adapter itself, i.e., codec unit 400, receiving a wakeup request, not a microprocessorless network adapter sending a wake-up command to a peripheral device.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 11, and even if combined, would not yield the subject matter of claim 11.

Claim 12 is directed to a computer network, and recites, in part, a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device.

Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest a microprocessorless network adapter interconnecting at least one host computer and at least one peripheral device, as recited in claim 12, for at least the reasons set forth above with respect to claim 1.

Claim 12 also recites, in part, wherein said microprocessorless network adapter is configured to perform automatic USB enumeration.

Morrow does not disclose, teach, or suggest the above mentioned subject matter of claim 12, nor is it so asserted. Rather, Hamdi is relied on, in particular, at column 6, lines 1-6. However, as set forth in Applicants' previous Response, the relied upon Hamdi passages merely discuss enumerating the USB bus in general terms, and do not in any manner disclose, teach, or suggest that the asserted network adapter is configured to perform automatic USB enumeration.

In the Response to Arguments, it is asserted that Hamdi discloses supporting USB devices attaching to and detaching from a USB bus at any point in time and that enumerating the USB bus is an ongoing activity that must accommodate dynamic changes in the physical bus topology, with reliance placed on the Hamdi passages at col. 4, lines 29-36 and col. 6, lines 1-6.

The relied-upon Hamdi passages disclose that general areas of interaction between the USB system software and the device software include device enumeration (col. 4, lines 29-36), and that enumerating a USB bus is an ongoing activity (col. 6, lines 1-6).

Thus, the relied-upon Hamdi passages simply pertain to *generalized statements regarding enumeration*, and do **not** in any manner disclose, teach or suggest a microprocessorless network adapter is configured to perform automatic USB enumeration.

The Examiner may not, because of doubt that the invention is patentable, resort to speculation, unfounded assumption or hindsight reconstruction to supply deficiencies in the factual basis for the rejection. *In re Warner*, 154 U.S.P.Q. 173,178 (CCPA 1967).

Applicants respectfully submit that the relied-upon Hamdi passages simply do not support the proposition that Hamdi discloses a microprocessorless network adapter is configured to perform automatic USB enumeration.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 12, and even if combined, would not yield the subject matter of claim 12.

Claim 13 is believed allowable due to its dependence on otherwise allowable base claim 12. In addition, claim 13 further and patentably defines the invention over Morrow and Hamdi, taken alone or in combination.

Claim 18 is directed to a network adapter, and recites at least one application specific integrated circuit; and support electronics, wherein said network adapter is microprocessorless; and wherein said application specific integrated circuit is configured to perform automatic USB enumeration.

Claim 18 is believed allowable in its present form for at least the reasons set forth above with respect to claims 1 and 12, since Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest a microprocessorless network adapter, and do not disclose, teach, or

suggest wherein an integrated circuit of the microprocessorless network adapter is configured to perform automatic USB enumeration.

Claim 19 is believed allowable due to its dependence on otherwise allowable base claim 18. In addition, claim 19 further and patentably defines the invention over Morrow and Hamdi, taken alone or in combination.

Claim 32 is directed to a computer network, and recites, in part, a microprocessorless network adapter interconnecting said at least one host computer and said at least one peripheral device.

Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest a microprocessorless network adapter interconnecting at least one host computer and at least one peripheral device, as recited in claim 32, for at least the reasons set forth above with respect to claim 1.

Claim 32 also recites, in part, wherein said microprocessorless network adapter is configured to provide power to said at least one peripheral device.

Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest wherein a microprocessorless network adapter is configured to provide power to at least one peripheral device, as recited in claim 32, for at least the reasons set forth above with respect to claim 9. For example, Hamdi discloses that the modem codec card 104 is powered by a bus (column 13, lines 38-41), *not the other way around*.

Claim 33 is directed to a network adapter, and recites at least one application specific integrated circuit; and support electronics, wherein said network adapter is microprocessorless; and wherein said network adapter is configured to provide power to at least one peripheral device.

Claim 33 is believed allowable in its present form for at least the reasons set forth above with respect to claim 1, since Morrow and Hamdi, taken alone or in combination, do not disclose, teach, or suggest a microprocessorless network adapter.

In addition, for at least the reasons set forth above with respect to claims 9 and 10, Hamdi discloses that the asserted microprocessorless network adapter, which is the modem codec board 104, has its power provided by a bus (column 13, lines 38-41), which is essentially *opposite* to a microprocessorless network adapter configured to provide power to at least one peripheral device, as recited in claim 33.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Morrow and Hamdi, taken alone or in combination, do not disclose, teach or suggest the subject matter of claims 1, 9-13, 18, 19, 32 and 33, and thus respectfully request that the rejection of claims 1, 9-13, 18, 19, 32 and 33 under 35 USC §103(a) be withdrawn.

For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the appended claims. The appended claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to
telephone the undersigned at (317) 894-0801.

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